

PUBLIC WORKS & TRANSPORTATION COMMITTEE
of the
Suffolk County Legislature

Minutes

A regular meeting of the Public Works & Transportation Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, Veterans Memorial Highway, Hauppauge, New York, on May 15, 2002.

Members Present:

Legislator Joseph Caracappa - Chairman
Legislator Brian Foley - Vice-Chair
Legislator Angie Carpenter
Legislator David Bishop
Legislator Andrew Crecca

Also in Attendance:

Paul Sabatino - Counsel to the Legislature
Phyllis A. McAlevey - Aide to Legislator Caracappa
BJ McCartan - Aide to Presiding Officer Tonna
Fred Pollert - Director/Budget Review Office
Jim Spero - Deputy Director/Budget Review Office
John Ortiz - Budget Analyst/Budget Review Office
Nicole DeAngelo - Intergovernmental Relations/County Executive Office
Charles Bartha - Commissioner/Suffolk County Public Works Department
Leslie Mitchell - Deputy Commissioner/SC Public Works Department
Tedd Godek - Suffolk County Architect
Ben Wright - SC Department of Public Works/Sanitation
Bob Shinnick - SC Department of Public Works/Transportation
Edwin Cohen - SC Department of Public Works/Highway
Laura Conway - SC Department of Public Works/Finance
Mark Rudner - Attorney-at-Law/Siben & Siben Law Firm
Bridget Lynch - South Bay Water Taxi
George Hafele - Fire Island Ferries
Sedat Beqaj - Saltaire, Fire Island
Benjamin Oren - Fire Island News
Pat Pearson - Cornell Cooperative Extension
Mike Murray - Cornell Cooperative Extension
Michael Rothfeld - Newsday

Minutes Taken By:

Alison Mahoney - Court Stenographer

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(*THE MEETING WAS CALLED TO ORDER AT 11:40 A.M.*)

CHAIRMAN CARACAPPA:

We'll start with a salute to the flag led by Legislator Carpenter.

Salutation

Good morning. We have one card and this relates to a conversation we had at the last committee meeting relating to the South Bay Water Taxi, and the speaker is Sedat Beqaj. Why don't you come on up, Mr. Beqaj. Just can sit down at the table here, one of these microphones, there's a button right on top, just pull --

MS. MAHONEY:
They're on.

CHAIRMAN CARACAPPA:
Oh, they're on? Okay, very good. Mr. Beqaj, at the last Public Works meeting I believe your attorney came down and represented you.

MR. BEQAJ:
My attorney?

CHAIRMAN CARACAPPA:
Yes.

LEG. BISHOP:
No.

CHAIRMAN CARACAPPA:
No? Oh, that was from Mench, sorry.

LEG. BISHOP:
The current operator's attorney, South Bay Water Taxi.

CHAIRMAN CARACAPPA:
The current operator, yes. Are you with South Bay Water Taxi?

MR. BEQAJ:
No, I'm not.

CHAIRMAN CARACAPPA:
Okay. Then why don't you -- I thought you were, my apologies. Why don't you give us your testimony.

(*Legislator Crecca entered the meeting at 11:41 A.M.*)

MR. BEQAJ:
Basically for the past three years I was the operator of the Ocean View Hotel and the restaurant, the Sandbar Restaurant, and I had a great deal of difficulty with the operator of South Bay Water Taxi.

LEG. BISHOP:
Where is the Ocean View Hotel?

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MR. BEQAJ:
It's in Robins Rest. And exactly the reason I'm no longer operating that restaurant and hotel is because literally the water taxi made it impossible for me to operate because of its process of not servicing the place, boycotting it at the height of the season, delivering clientele to the place then not coming back to pick them up for hours afterwards, price gouging that was published. If you wish to, I don't have them with me, but I have witnesses that stayed in the hotel that paid the exorbitant amount of money to come either from Ocean Beach or from Bay Shore to Robins Rest.

I myself was abused at eleven o'clock -- at twelve o'clock at night when my -- I used to take the water taxi every night, I live in Saltaire to commute to Saltaire every night. That particular evening I went on a trip through the Island, it wasn't until two o'clock in the morning, Ocean Beach Police have a report on it, I was made to pay although I was never given the trip to my house. However, I don't

want to go into the gory details. I would like to recommend to the Legislature that before they issue the permit, I think an investigation is required. I think you owe it to the public and Fire Island. I think I have been damaged enough that I'm definitely going to go with a suit against South Bay Water Taxi, but I thought I would wait the results of the Legislature first and that's the only reason I'm here.

CHAIRMAN CARACAPPA:

Mr. Beqaj, just for your own information, the license for South Bay Water Taxi isn't up for another year-and-a-half. What we have before us is a resolution authorizing a public hearing with relation to what you have just described, possible price gouging, improper practices by South Bay Water Taxi. So we're getting a feel to see if we should release this resolution to the full Legislature and let this public hearing happen.

What you've brought to us today, your own story, we appreciate it because it lends to -- at least speaking for myself, it lends to my decision as to whether we should move forward with releasing this resolution. And also, in the future when this Legislature reconsiders the licensing for South Bay Water Taxi, the things that have been brought forward such as your commentary today will be -- will weigh heavily in our deliberations over that renewal.

MR. BEQAJ:

I can provide you with at least a dozen other people that have kept in touch over the winter just because of this. I operated that restaurant at a tune of 18 hours a day for six months and for Mr. Sanders not to provide me service the year 2000 for the whole weekend of Labor Day, it was nothing but criminal. I attempted to go to his office with his lawyer present and with no legal representation, I asked him what can I do to get service, I fulfilled my obligation, whatever promise I made to him I delivered, and yet the following year -- last year he did exactly the same thing.

CHAIRMAN CARACAPPA:

If you could --

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MR. BEQAJ:

I have people complaining about staying there for two hours waiting to be picked up, people that I had to call from my house Ocean Beach Police to pick them up because Great South Bay Wouldn't pick them up from Robins Rest to Ocean Beach.

CHAIRMAN CARACAPPA:

You said you can provide more people that have --

MR. BEQAJ:

Yes, sir.

CHAIRMAN CARACAPPA:

Please do that.

MR. BEQAJ:

I certainly will give you the names, I will give the names to whoever. I'm just waiting for -- you know, I'm asking for whoever needs the information, I can provide the information.

CHAIRMAN CARACAPPA:

You can forward those names to me --

MR. BEQAJ:

Yes, sir.

CHAIRMAN CARACAPPA:

-- and my Aide will give you my card and a contact phone number so we can start gathering information. As I see it, the stories have been coming out since we started talking about this. In fact, last year when the original story ran in the Fire Island News, more and more people have approached me and I know then Legislator Foley, as Chairman of the committee, stated this. And we weren't sure if it was just a one-time deal or someone just had something out against the South Bay Ferry Company, but it's becoming clearer to me that this might be a legitimate problem. So I appreciate your testimony today.

MR. BEQAJ:

I have nothing against South Bay, I have known David Sanders since he was a little boy. I have absolutely nothing -- I knew his mother and everything else. He punished me for no other reason except the fact that the restaurant was affiliated with Maple Avenue Marina, and it was, the principals of the -- the real estate owners are the same owners as the Maple Avenue Marina; whether he was in competition with them or not, it's not my fault.

CHAIRMAN CARACAPPA:

Thank you.

MR. BEQAJ:

Thank you very much. And I will provide you with all the information, names and telephone numbers of these people.

CHAIRMAN CARACAPPA:

Thank you. South Bay's Counsel is here. Did your client come with you as was suggested? Why don't you step forward.

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MR. RUDNER:

Mr. Sanders is --

CHAIRMAN CARACAPPA:

Just state your name for the record, please.

MR. RUDNER:

Mark Rudner from Siben and Siben law firm. Good morning. Mr. Sanders is having Coast Guard inspections of his fleet today, it is not possible to reschedule that. However, I brought Mr. Sanders' dispatcher who I'm sure can answer any questions that the committee would have.

CHAIRMAN CARACAPPA:

No, it was requested that the owner of the facility or the property come forward, not an employee or a dispatcher. We have given you three weeks lead time, I think something of this importance, charges being levied against his company, that he would be here for this.

I see no reason to even get into it further other than just to pass the resolution and put it to the floor of the Legislature. I don't think it's right for the committee to take testimony from -- no

disrespect, mam -- from an employee of the company, we wanted the owner, the principal owner here.

MR. RUDNER:

Please, it was my understanding that the reason that this was rescheduled for today was to address one issue which was cash controls.

CHAIRMAN CARACAPPA:

No, that was only part of it.

MR. RUDNER:

We addressed many --

CHAIRMAN CARACAPPA:

That was only part of it. It was also to give him a chance here in committee as opposed to a formal public hearing to answer questions related to the charges that have been brought against him by people that have visited Fire Island, businesses on Fire Island and those who have claimed that there's been price gouging and also the cash control issue. So it's a whole series of things that are coming up and we wanted just to question him here, give him the courtesy of doing it here in a committee meeting of the Public Works Committee as opposed to having it go before the full Legislature and a full public hearing. We offered you that courtesy, we offered you that respect and we don't get it back in return, and unfortunately now you can do it in a public hearing.

MR. RUDNER:

If I just may be heard briefly. My understanding, and I'm sure there's a record to show, is that I was questioned at great length for approximately 45 to 50 minutes last time I was before this committee. The only question that was left open, as far as I understood, was the -- Mr. Foley questioned me about Robins Rest, I was questioned by

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Mr. Bishop, I was questioned I believe by everybody on this committee. The only issue that I told this committee I could not answer was regarding cash controls which I am here today and fully able to answer any questions you might have. The fact that Mr. Baqaj has come here today --

LEG. BISHOP:

Mr. Rudner, maybe I can help. Is there information on cash controls that you can present today that you want to present?

MR. RUDNER:

Of course, I'm here to do that today. And I also --

LEG. BISHOP:

I think there are two -- well, they're related but they are separate. One is the issue of the cash controls because apparently that was a mandate of the agreement that you're currently operating under.

CHAIRMAN CARACAPPA:

No, it's not.

LEG. BISHOP:

Yes.

CHAIRMAN CARACAPPA:

No.

LEG. BISHOP:

No?

CHAIRMAN CARACAPPA:

We didn't put it in the license agreement that they have cash controls.

LEG. BISHOP:

Where did that come from? I thought it came from the Budget Review Office.

CHAIRMAN CARACAPPA:

They said we should have cash controls and when I asked the question last committee if that was part of the license agreement it was no, and I said shame on us as a Legislature for not passing -- for granting them a license without having cash controls in place. So basically they don't have to do cash controls if they don't want to and that's why we have the problem with price gouging. So it's not too separate things, they're both one because we can't keep track of what they're doing because they have no cash controls in place. They don't have cash controls in place because this Legislature didn't mandate it in the license.

LEG. BISHOP:

You agree, Counsel, that's correct? Because I thought -- Mr. Rudner's recollection and mine was there was a whole discussion with Budget Review about the need for cash controls and he said that's the first he heard of it, and that's what I think he wants to respond to today.

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MR. SABATINO:

You're both right, it was an evolutionary thing. The chairman is correct that Budget Review indicated five years ago or three and a half years ago when we granted the licenses the issue was raised, but a decision was made not to make it a condition. But because of the concerns that have grown out of the allegations, the debate shifted into what Legislator Bishop talked about which was a very hard look at the possibility of trying to deal with this resolution by getting those controls in place because this resolution, as the Chairman said, moves you to the next level which is you could have a hearing to try to revoke the license. So I think that you as well as the representative from the ferry company were talking about maybe trying to work something out on the cash control issue.

LEG. BISHOP:

This entire issue to me brings up the failings of our role as a mini-public service commission, because we don't have any full-time staff, there's very little public knowledge that we have this role to begin with. I think that people probably have had complaints about water taxis for a long time and it never works its way to here so there has never been any investigations of the complaints as they arise over the years, right? So now we're, you know, a year later or two years later and somebody says, "I have a list of dozens," and the water taxi person feels that they're being sandbagged because they had no knowledge that this was coming. I think we should deal with this issue but we should also look at the bigger issue of how we regulate the bay.

CHAIRMAN CARACAPPA:

Absolutely. And, you know, as long as I'm sure we're all committee members here in Public Works, we'll be a little bit more stringent in the review process of things such as water taxi and making sure it has cash controls which, again, is the only gauge we really have to look at competition and the way -- and how good a business is doing in this regard. So that's for future discussion, David.

LEG. BISHOP:

Yeah.

CHAIRMAN CARACAPPA:

Right now we have this resolution before us about --

LEG. BISHOP:

If I could just finish the thought which --

CHAIRMAN CARACAPPA:

Go ahead.

LEG. BISHOP:

I was done but something else popped in. To have a public hearing is very, I'm sure, anxiety inducing for the operator. They feel, "Hey, this is a hearing that potentially strips my license and I shouldn't be at this point," but that's because our process doesn't have anything in-between. We don't have any mechanism during the year where we're sending investigators out to see if complaints are merited or not, that's really what makes this unusual. If you have a complaint

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about a utility in the State, in the Public Service Commission System, I'm sure there's some sort of staff investigation, not just a vote of the Public Service Commission to have a hearing that potentially can strip the license of the utility. It's that lack of an in-between that makes this unusual and that's what I'm pointing out. But I -- I mean, if that's our role, we're a mini-public service commission, then we have to do our role and, in my view, have a hearing and see whether there has been a failing in the execution of the license agreement.

LEG. CARPENTER:

If I could.

CHAIRMAN CARACAPPA:

Legislator Carpenter.

LEG. CARPENTER:

Mr. Rudner, you said that Mr. Sanders is not here today because his boats were being inspected by the Coast Guard?

MR. RUDNER:

That is correct.

LEG. CARPENTER:

And I would assume that this is something that without this inspection he can't operate his business.

MR. RUDNER:

That's also correct.

LEG. CARPENTER:

All right.

CHAIRMAN CARACAPPA:

Why wasn't this committee notified until right now when we're expecting Mr. Saunders (sic) to come up here and testify on something we've asked him three weeks ago? Not even a phone call? Come on.

MR. RUDNER:

Mr. Caracappa, I have to tell you that despite the fact that I was not completely prepared at the last meeting of this committee to testify and that I was coming only as a spectator, as a matter of fact, no one at South Bay was ever notified other than by the good graces of someone else who was attending this meeting and said, "Hey, you know what? South Bay is coming up on the agenda," so it was fortuitous and accidental that I was here at all. But I have to tell you that my honest recollection was not that Mr. Sanders was demanded to be here, merely that we were able -- that South Bay was able to come back and address the issue of cash controls. And I apologize because it's certainly -- I know it could certainly have been or I think it may have been able to be rescheduled, the Coast Guard inspection, but I do not recall yourself or any member of this committee directing Mr. Sanders to be here. And I apologize, that's my fault.

CHAIRMAN CARACAPPA:

I specifically said it, "Make sure your client is here at the next

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Public Works Meeting." I said it, I asked for it, so I know; and I'll get the minutes to show you and I'll get them to you.

MR. RUDNER:

I apologize to you if that's true.

CHAIRMAN CARACAPPA:

I'm sorry, Legislator Carpenter. Were you finished? My apologize.

LEG. CARPENTER:

Yes, you did kind of interrupt.

CHAIRMAN CARACAPPA:

I apologize.

LEG. CARPENTER:

Are we going to go forward and allow him to give this information on the cash controls that he's coming back with today?

LEG. CRECCA:

Will you yield for one second, Legislator Carpenter? Because everyone else isn't.

LEG. CARPENTER:

Sure; thanks for asking.

LEG. CRECCA:

If I can -- you know, I would just suggest possibly that we give Mr. Rudner the benefit of the doubt. I don't doubt what the Chairman is saying and I agree with you that we understood that the owner would be here today, but knowing Mr. Rudner, I don't think -- it doesn't sound like it was an intentional thing. If we can -- I'm just suggesting

that we maybe put this off till June 4th knowing on that day, one way or the other, we're going to make our decision that will make it very clear who we want here and what exactly we want presented.

You know, I agree that it was beyond cash controls, although cash controls seemed to be the focus of the issue last time. But really part of -- a smaller part of a larger problem or allegation of a larger problem, and I can understand why that may have been understood by Mr. Rudner. So my suggestion would be is that we allow that one more cycle and now I think it's very clear that we want Mr. Sanders here and we want to really explore this and anyone else who it is. So I would just say that you might want to consider that.

LEG. FOLEY:

I will wait.

LEG. CRECCA:

Thank you, Legislator Carpenter.

LEG. CARPENTER:

Well, I guess from the comments that the Chairman has made that, you know, he's not really going to be satisfied unless Mr. Saunders (sic) is here in person to respond to the questions that the committee has. So absent that, to give everyone an opportunity and to be fair in the

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process and because it still is going to -- we still have one cycle to approve the resolution and still meet the time frame that the resolution calls for the hearing to be held, I agree with Legislator Caracappa that -- Legislator Crecca, that perhaps we should table this today and not even begin the discussion with Mr. Rudner.

CHAIRMAN CARACAPPA:

Legislator Foley.

LEG. FOLEY:

I happen to have been one of the Legislators who had asked Mr. Rudner about cash controls and I know Mr. Duffy is -- I had mentioned Mr. Duffy to see, for instance, how other ferry services administer the cash controls and to have it as one of the alternatives for this particular applicant. While that was the main topic of conversation at the last committee meeting and wanting to have you here today to speak on that, that wasn't the only outstanding issue. The other outstanding issue had to do with the fact that we as Legislators felt uncomfortable about granting a permit or even moving along in the process of a public hearing when the Coast Guard had not, as of the last meeting and as of today's meeting as we speak, has not granted -- has not issued any certificates and the like.

LEG. BISHOP:

They have their license.

LEG. CARPENTER:

No, no, no, this is different.

LEG. FOLEY:

No, the boat --

LEG. CARPENTER:

No. This is South Bay Water Taxi.

LEG. BISHOP:

This is not the competition.

LEG. CARPENTER:

This is not the other ferry company that doesn't have --

LEG. FOLEY:

I stand corrected. So the only --

LEG. CARPENTER:

This is in response --

LEG. FOLEY:

Mr. Rudner, the only issue had to do with the cash controls; is that not correct then?

MR. RUDNER:

Again, my understanding -- and I would just like to say to the committee, and Legislator Caracappa specifically, I can tell you're irate with me and if not the company as well but, sir, I can assure you that there is -- in no way did I attempt to deceive you and it was

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my honest understanding that I could appear here today without Mr. Sanders and answer all the questions that your committee may have. And I appreciate Legislator Crecca's suggestion of returning with my client on June 4th and I can also assure you that he would be here on that day with me if we're given that opportunity.

CHAIRMAN CARACAPPA:

Is there a motion? Any other questions?

LEG. BISHOP:

Yes. I have just a question of process, Counsel.

CHAIRMAN CARACAPPA:

Legislator Bishop, go head.

LEG. BISHOP:

If we keep it in committee, then we could have effectively a hearing of the Public Works Committee where complainants and the company can come down without sending it to the full Legislature and then make a determination of whether to send it to the full Legislature. But if we were to do that, then it would go -- and we voted yes to send it to the full Legislature, we'd have to have the same hearing again a second time; correct?

LEG. CARPENTER:

Right.

LEG. CARPENTER:

That would be the practical effect because this resolution just sets a public hearing for June 11th to afford the opportunity to go through all these issues because you have to have due process in order to take some kind of action regard to the underlying allegations.

LEG. BISHOP:

Again, I'm troubled by the lack of an intermediate step of professional review of the allegations and to recommend to us whether

we should have this kind of formal, legal hearing. But in the absence of that, I don't see any reason to keep this come in committee because then we'd just be going through the same thing twice.

CHAIRMAN CARACAPPA:

Just to respond to that, Legislator Bishop. We're basically trying to be nice guys and do a courtesy to South Bay Water Taxi by having him come here today and just explain his side of the story. Keep in mind, the reason why -- you keep bringing up the process of basically policing the bay and water taxis. The reason why price controls or cash controls kept coming up is that is our only real way of policing this company and that's why cash controls dominated the discussion last time because it's something we don't have in place and something we need in place to follow our process, to do our duty as a mini-public service commission and to keep tabs on this company. So we -- and that all spun out of the allegations of price gouging.

So it's -- I think we have given them the opportunity to be here today, I made it perfectly clear for the owner to be here today. And I understand there's a conflict but, you know, you're marching forward

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down to a public hearing with relation to possibly losing your license, I just find it a slap at this committee that all of a sudden you don't remember what was said to you or requested of you.

LEG. BISHOP:

Let me --

CHAIRMAN CARACAPPA:

And back to Legislator Bishop's point, it's really not about the cash controls, it's about the allegations of price gouging is really the topic here and we wanted to give them a chance to come here in basically what I called the sanctity of the committee process and explain their side of it before we released this bill out to the Legislature. That did not happen. You know, no more nice guy now and let's just -- you want a follow-up process? This is the process to follow.

LEG. BISHOP:

Counsel -- if I may ask a question. In this process, is there room for modifications of the agreements between the license that the company operates under?

MR. SABATINO:

Yes, that -- yes. There's a whole array of potential outcomes --

LEG. BISHOP:

It's not just -- we're not acting like a judge then, it's not guilty or innocent, there's room for creative solutions.

MR. SABATINO:

Absolutely. Just so you understand, the Chairman is correct, this resolution -- somebody makes an allegation, the vehicle or mechanism we have is that you file a resolution to set the process in motion. At a preliminary screening level, this committee could say, you know what, the evidence that we received or the substance behind the allegations are so weak or so incredible that you don't want to go to the next level of a formal hearing. On the other hand, you might say that, hey, it's met the preliminary presumption of at least there

appears to be a problem and then you go to the formal hearing.

There is an opportunity for all the parties then in a due process setting to make their points pro and con and then the Legislature as a body, you know, can make a decision either to revoke the license which is the ultimate sanction, or working with the applicant, listening to what he or she may propose as an accommodation or a settlement, you could work out something short of that. But to get from here to there, you really have to go through this preliminary screening which we've now done for two meetings I guess, and you can do it again if you wish. But that's the way it works in terms of the process, preliminary screening and then some kind of a decision as to whether you want to go formal and then after that you try to work out an outcome.

CHAIRMAN CARACAPPA:
Anything further?

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LEG. BISHOP:
Well, is the motion before us now?

CHAIRMAN CARACAPPA:
There is no -- I'm making a motion to approve.

LEG. CARPENTER:
Well --

MR. RUDNER:
Mister --

LEG. BISHOP:
First a make a motion to take it out of order which I'll second.

CHAIRMAN CARACAPPA:
Motion to take 1202 out of order, second by Legislator Bishop. All in favor? Opposed? It's before us.

1202-02 (P) - Authorizing a public hearing to amend the Cross Bay & Lateral Ferry License granted to South Bay Water Taxi Incorporated (Towle). I'm making a motion to approve.

LEG. CARPENTER:
Well, I would -- go ahead.

CHAIRMAN CARACAPPA:
And there's a motion to table by Legislator Carpenter, so that takes precedence. On the motion, Legislator Bishop.

LEG. BISHOP:
On the motion. I'm going to vote in favor of the motion, not to table but to approve, I'm going to vote against the tabling. And the reason is that I think that given the constraints of the system that we operate under, that would be the most efficient way to proceed. Rather than to have two hearings, one in the Public Works Committee and then one later on, I think it would be best if we act in accordance with the way the process was laid out which is that if there is an allegation with any reasonable likelihood of merit that we should send it to a full hearing.

Having said that, ultimately where I want to end up is I want water

taxi, I want water taxis that charge fair rates, and I want water taxis that go to and from all the places that they're supposed to and we need a system that ensures that that occurs. So I don't know if ultimately stripping the license is going to serve the public better, what we need is, you know, a solution to this situation if it is, in fact, as true as the allegations have been laid out.

LEG. CARPENTER:

If I could, Legislator Caracappa. I agree with you, I think we need to look at this and look at it, you know, with full disclosure and give people ample opportunity to come forward. However, I don't think that tabling this one cycle is going to prevent that from happening if it's determined that a public hearing is the root that we want to go. If we gave the representation that they were going to be able to come

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to this committee and, you know, answer our questions and give them, you know, fair opportunity before we voted on the resolution to authorize the public hearing, I think it's a little less than fair of us now to not table it this one cycle.

The fact that Mr. Saunders (sic), and that seems to be the impetus behind, you know, wanting to push forward with this, the fact that he's not here today, did we, you know -- did we notify him that he was expected to be here? Did we -- I'll ask the Chairman, did you, you know, send a letter to the water taxi saying that he was expected to appear before this committee?

CHAIRMAN CARACAPPA:

No. I looked at his Counsel right in the eye and said, "Make sure your client is here at the next Public Works Committee which is on the 15th of May."

LEG. CARPENTER:

Okay.

CHAIRMAN CARACAPPA:

I think that's even better than a letter.

LEG. CARPENTER:

Well, I'm sure -- I don't recall hearing that, quite frankly. And I, you know --

CHAIRMAN CARACAPPA:

Phyllis, go to the Clerk's Office and get the minutes right now from the Public Works meeting, the last Public Works meeting. We'll settle this once and for all.

LEG. CARPENTER:

You know, I just --

LEG. BISHOP:

I want to make a point that that's not really going to be --

CHAIRMAN CARACAPPA:

No, just so everyone is clear that it was asked.

LEG. BISHOP:

It's not going to resolve anything.

LEG. CARPENTER:

You know, I'm not saying that you didn't say that, please don't get me wrong, Joe, I'm sure that you did say that. But if he -- if Mr. Rudner is sitting here, an officer of the court, and saying that he doesn't recall that that necessarily was what was supposed to happen, that he could come forward with the information, I don't see what the terrible harm is in, you know, tabling this one meeting, allowing them to come to the next meeting and answer all of our questions.

LEG. BISHOP:

If I may. My point is that there's nothing that Mr. Saunders (sic) is going to say that is going to be dispositive of what our function is.

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We have to look at the complaints and if the complaints have, in our view, any reasonable likelihood of merit, then we have to move to the next step. So what is Mr. Saunders (sic) going to say? I mean, let's say the worst thing he says, "All these people have a vendetta against me personally"; even if he said that you'd want to go to the next step anyway to find out and hear from the complainants what the story is.

LEG. CARPENTER:

But then again, I think that -- I mean, I personally feel that we have -- are responsible to be fair in the process and allow them -- if we gave them a representation that they were going to be able to come back to this committee with that information, I think that we should do that. And tabling that this one cycle I don't think, you know, troubles it.

LEG. BISHOP:

I guess if that's argument then it does go to whether he said to be here or not be here, but ultimately I think you're going to need -- not because of anything --

LEG. CARPENTER:

And I'm not discounting that.

LEG. BISHOP:

Not because of Mr. Rudner or his client or anything they could possibly say is going to -- should affect your vote, you have to look at the other side when you cast your vote. Are there complaints that have some likelihood of having merit? If there are, then you have to go to the next step, no matter what the ferry or taxi service says.

LEG. CARPENTER:

No, I don't disagree with you. But I'm speaking more to the process and if we gave them the impression that they could, you know, speak with us and give that information to the committee before we voted on the resolution, I really feel that that is what we should do.

MR. RUDNER:

Legislator Caracappa, if I could. I just had Ms. Lynch go out and call Mr. Sanders and explain to him that the direness of the situation. And I don't know how long this committee meets for today, but I could -- the --

CHAIRMAN CARACAPPA:

No, forget about it. No way.

MR. RUDNER:

Okay.

CHAIRMAN CARACAPPA:

You have made representation that he has a very important Coast Guard inspection and let's not say, okay, he has to run down here now; I'm not even going to go there.

MR. RUDNER:

Mr. Caracappa, at eight o'clock the Coast Guard showed up, eight o'clock this morning. I just asked Ms. Lynch to go ask how far along

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the inspection is; Ms. Lynch told me that the inspection is over. We could -- I could have Mr. Sanders appear with the member of the Coast Guard that came down for the inspection if you are doubting that that's what happened this morning.

CHAIRMAN CARACAPPA:

I am certainly not doubting that, I never said I'm doubting there was an inspection. I'm just saying that the inspection -- is this his first inspection?

MR. RUDNER:

There's constant inspections as far as I understand.

CHAIRMAN CARACAPPA:

So obviously you knew it would be from eight o'clock till a certain time based on past inspections. This committee meets at 11:30. You made the decision that no, we can't go because we have the inspections. I can live with that. I can live with that. You basically chose to do that instead. Now I don't want to hear, "Well, we just called him and he can be right down here," no. It's either going to be passed or tabled and he'll have another chance to come down, all right? So that's where we stand. I appreciate your willingness to go out there and make a phone call and get him down here, but the decision was made earlier by you and your client not to be here for the reasons stated. There is a motion to table. Is there a second?

LEG. CRECCA:

I will second.

CHAIRMAN CARACAPPA:

Second by Legislator Crecca. All in favor? Opposed?

LEG. BISHOP:

Opposed.

LEG. FOLEY:

Opposed.

CHAIRMAN CARACAPPA:

Opposed. Tabling fails (VOTE: 2-3-0-0 - In Favor: Legislators Carpenter & Crecca).

Motion to approve by myself, second by Legislator Bishop. All in favor? Opposed?

LEG. CRECCA:

I'm in favor.

CHAIRMAN CARACAPPA:

Any opposed? None opposed, it's approved (VOTE: 5-0-0-0).

LEG. BISHOP:

So when is the -- now we vote on Tuesday.

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CHAIRMAN CARACAPPA:

Tuesday to set the public hearing for June 11th.

LEG. BISHOP:

So Mr. Rudner, if you want to have Mr. Sanders come and speak before the Legislature authorizes this public hearing, there's an opportunity on Tuesday morning.

LEG. CARPENTER:

Does the resolution not authorize the public hearing for June 11th?

LEG. BISHOP:

Yeah, but it has to be passed by the full Legislature. The full Legislature meets on Tuesday.

LEG. CARPENTER:

Okay.

LEG. BISHOP:

So prior -- you know, we have a public portion, Mr. Sanders can come at that time if he wishes to get his two cents in before we vote.

MR. RUDNER:

Thank you very much for explaining that.

CHAIRMAN CARACAPPA:

All right, there's no other cards, we're going to go to the agenda. I'd ask that Charlie Bartha and Mr. Shinnick come to the table.

COMMISSIONER BARTHA:

Good morning.

CHAIRMAN CARACAPPA:

All right. First, Mr. Shinnick, last committee meeting there were some questions relating to moving forward with the maps and the routes of the bus system at the stops or at the shelters.

LEG. BISHOP:

Yes.

CHAIRMAN CARACAPPA:

What's the status of that? And we appreciate you coming down to answer the questions.

MR. SHINNICK:

Good afternoon. Are we talking in general about the bus stop sign program, is that your question?

CHAIRMAN CARACAPPA:

Yes.

LEG. BISHOP:

As opposed to?

MR. SHINNICK:

Well, we have some marketing things that I can talk about as well.

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LEG. BISHOP:

No, signs, the times and the routes.

CHAIRMAN CARACAPPA:

The signs first.

MR. SHINNICK:

It's a rather large and involved project that we've been doing a considerable amount of work on and we've actually codified all of our bus stop locations. We have 3,100 bus stops in Suffolk County, they're all listed, identified and, believe it or not, we have latitude and longitude for these things because there's going to be an application later on on the Internet that will address questions about where people can travel to and from.

The quick answer is that we finished that listing and we will have a bid out on the street before July for a contractor to install new bus stop signs throughout the County.

LEG. BISHOP:

Okay.

MR. SHINNICK:

And part of that project will be at major locations will have basically cylinder-type illustrations that will give bus schedule information. It won't be at every bus stop, it will be at major locations.

LEG. BISHOP:

Why won't it be at every bus stop?

MR. SHINNICK:

They're expensive and there's 3,100 of these bus stop locations.

LEG. BISHOP:

But --

MR. SHINNICK:

And --

LEG. BISHOP:

I mean, all of us, we travel around the country and everywhere else at a bus stop there's the route and -- well, maybe not everywhere else but most places, it seems to me -- in my experience, I should say -- have the route and the times, and what could be more important and more encouraging for ridership than having that basic information available?

MR. SHINNICK:

There are 3,00 of these locations and, you know, they cost about \$150 a piece, as I understand it. I agree that these are very helpful things. What we would do --

LEG. BISHOP:

So we got a grant? What's 3,100 times 150, quickly? Help me out.

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MR. SHINNICK:

It's a lot of money.

LEG. BISHOP:

Three million? What is it?

LEG. FOLEY:

How many bus shelters?

MR. SHINNICK:

But we would propose to have them at the most significant location so that where we have a lot of passenger traffic. You know, some of these bus stops only have a handful of people a day, other bus stops are very busy throughout the day. And I agree that these are attractive features and I would propose that we would put them at the most utilized locations, see how it works, see what the costs are in terms of maintaining them, too; there is a maintenance cost from time to time when we change our schedules and those inserts have to be changed as well.

LEG. BISHOP:

You know, ironically at the most busy stops you just ask the person at the stop, it's when you're isolated.

MR. SHINNICK:

I agree.

LEG. BISHOP:

Let's say it's five o'clock on a Saturday and you're wondering is there going to be a bus at this time on the weekend? So we don't have a plan, ultimately, to go to every stop having a map.

MR. SHINNICK:

Not every stop, no. Most transit systems --

LEG. BISHOP:

Most of them don't.

MR. SHINNICK:

-- in the U.S. do utilize these things in terms of the most frequently used stops, they don't put them at every stop location.

LEG. BISHOP:

And why is it \$150 per location?

MR. SHINNICK:

That's what the cylinders cost.

LEG. BISHOP:

Why do we have to do the most elaborate at every stop?

MR. SHINNICK:

Well, I can get pricing for these to see if they come cheaper. That's the price that I know.

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LEG. BISHOP:

Just a basic sign on a pole with the information is impractical?

MR. SHINNICK:

Well, typically it's a casing that's made out of weather-proof materials that is durable --

LEG. BISHOP:

So you can change the schedules.

MR. SHINNICK:

Yes, and it has a {lexan} cover so that you can put the inserts inside of it and change the bus schedules, things like that. It's a display.

LEG. BISHOP:

How many are we doing in the first phase?

MR. SHINNICK:

Probably approximately 35, and those would be at our major bus stop locations.

LEG. BISHOP:

Thirty-five out of 3,100?

MR. SHINNICK:

Yes.

LEG. BISHOP:

So that project is 35 times 150; that's the extent of our project?

MR. SHINNICK:

No the actual project is to locate 3,100 bus stops throughout the County. The bus stop signs that go up will tell people what route goes there, where the bus is going to and there are regulatory signs to go with the bus stop sign itself. The last time we installed signs on a County wide basis was 1989, so a lot of them are missing, knocked down, incorrect. We've extended bus routes, we've got bus stops now where there never were assigned bus stops before. We will be changing out the signs also to conform with the Americans with Disabilities Act so that the signage has larger letterings for people with visual impairments.

LEG. BISHOP:

Mr. Shinnick, I have to say, I'm confused.

LEG. FOLEY:

Mr. Chairman, if I may.

LEG. BISHOP:

And I'm sorry to belabor something that should be relatively brief. There are currently 3,100 bus stops in the County.

MR. SHINNICK:

That's correct.

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LEG. BISHOP:

We have a program where ultimately some day 3,100 will have signs and schedules, or we don't?

MR. SHINNICK:

We have a program now where 3,100 locations will be signed by the end of this year.

LEG. BISHOP:
But not schedules.

MR. SHINNICK:
Not necessarily the schedules, no.

LEG. BISHOP:
But the schedules and the routes are only on the high dense -- high used locations which are -- highly traveled locations which are 35.

MR. SHINNICK:
That's correct, primarily downtown areas, shopping malls, things like that.

LEG. BISHOP:
So 1%. I thought, Mr. Bartha, Commissioner, that we got a grant to do this; we didn't?

MR. SHINNICK:
No, the original project grant was for the bus stop signage itself, bus stop signs.

LEG. BISHOP:
Okay.

COMMISSIONER BARTHA:
That's been a problem also that comes back to us, the people don't know where the bus stops are.

LEG. BISHOP:
Okay, I guess that's an even bigger problem than not knowing when the bus is going to come. All right.

LEG. CRECCA:
Is this --

LEG. BISHOP:
Go ahead.

LEG. CRECCA:
No, I thought you were done.

LEG. BISHOP:
No, I'm trying. So to do a project in the Capital Budget, let's say, to me this is a reasonable investment of public resources to tell people when and where the bus is. How much would that cost to do, let's say, the top 50% of the buses; it has to be \$150 a pole?

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MR. SHINNICK:
Well, I don't price them. As I said before, we can go back and get better pricing and see if there is anything that's more economical available, that's just the price that I happen to know now.

LEG. BISHOP:
All right. If you would, please, for the next committee hearing obtain for us some --

MR. SHINNICK:
Sure, we'll do that.

LEG. BISHOP:
-- range of options. Because I know that -- I'm assuming every other Legislator wants to see this implemented aggressively, not 1% of the bus stops.

LEG. FOLEY:
Mr. Chairman?

CHAIRMAN CARACAPPA:
Legislator Foley.

LEG. FOLEY:
Thank you, Mr. Chairman. If we look at the monthly status report dated May 1st on page 16, Mr. Shinnick, it gets to the heart of the matter. And we can talk for a little while today, but I think a follow up, whether at the Capital Program meeting that will be scheduled -- it is scheduled in two weeks time --

LEG. BISHOP:
Yeah, that's when you should have it.

LEG. FOLEY:
-- as well as the next regularly scheduled committee meeting to give us what I would call, and through the Chair's approval, an in-depth presentation about ridership, about sign installation, marketing, bus shelter installation. Because they're all really entwined in the effort of improving amenities for bus patrons and, in so doing, increase the likelihood or improve the likelihood of increased ridership.

When we look at bus stop sign installation, "The division is finalizing bid documents for the replacement of bus stop information signs throughout Suffolk. A late summer bid opening date is expected." Marketing, we spoke about marketing, the need to have -- and this has been on the agenda since I've been the Chair for the last -- going back three or four years ago, bus shelter installation the same thing. So as far as bus stop sign installation, the information here, in addition to what you said to Legislator Bishop, is that there's going to be a bid that will be open at the end of the summer for bus stop signs.

MR. SHINNICK:
That's correct.

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LEG. FOLEY:
And that has to do with what, though? Does it have to do with --

MR. SHINNICK:
That's the 3,100 locations throughout the County.

LEG. FOLEY:
Well, what about this other information that Legislator Bishop was speaking about; where does that fall into, which program does that fall into?

MR. SHINNICK:

That's part of the project, the bus stop sign project, the 35 locations.

LEG. BISHOP:

Thirty-five are going to have --

MS. MAHONEY:

Can you use the microphone, please?

LEG. FOLEY:

All right. So part of the bid openings at the end of the summer deals not only with bus stop signs but also with more -- other signage?

MR. SHINNICK:

The installation of those information displays.

LEG. FOLEY:

To those 35 locations.

MR. SHINNICK:

Yes.

LEG. FOLEY:

All right. Beyond those 35, when do you intend to do the rest?

MR. SHINNICK:

Well, there was no anticipation right now of any specific date, but if that's the Legislature's wish we can --

LEG. FOLEY:

Well, why don't we do this. Through the Chair, if you can give us a copy of what, in fact, bidders are responding to, what was the scope of the RFP, to the RFP that you had put out.

MR. SHINNICK:

This would be an RFP.

LEG. FOLEY:

That they will respond to, correct, by the end of the summer; it's an RFP for the bus sign installation?

MR. SHINNICK:

You're looking for a list of -- I don't understand.

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LEG. FOLEY:

Well, the bus sign installation, it's an RFP that they're responding to; is that correct?

MR. SHINNICK:

It's a competitive bid, it's an RFB.

LEG. FOLEY:

Okay, it's a competitive bid. If we can get a copy, through the Chair, of that competitive bid proposal, okay? The same holds true with the marketing. I really feel that at the next meeting, Mr. Chairman, if we could have Transportation give us an in-depth presentation on these things, I think it would be helpful. You would be prepared to do so?

MR. SHINNICK:

I am, I can talk a little bit about it today if you wish.

LEG. FOLEY:

That's up to the Chair.

COMMISSIONER BARTHA:

We had understood you requested that for today, so Bob is prepared.

LEG. FOLEY:

Okay, you're ready for today.

MR. SHINNICK:

The RFP for the marketing program has been approved by the County Attorney and we anticipate advertising for proposals in approximately a month's time. That project will consist of an ad campaign to promote the Suffolk County Transit System using radio ads, some cable possibly and print media. It will also involve the reprinting of an updated County-wide system bus route map and that may be possibly used through the promotional efforts as well. We'll be looking to update and improve our brochure material with the specific emphasis on having the accessible features and formats for people with disabilities and there will be a rider survey conducted so that we can get an attitudinal response from the riders, some demographics about them, their habits of using the services; much similar to what we've done in the past so we can understand who our target riders are better.

The materials for that work have, as I said, been approved by the County Attorney, so we'll be going out to solicit proposals in the very, very near future.

LEG. FOLEY:

Through the Chair, that's to solicit proposals. When do you, in fact, intend to award a contract so we can get the work going?

MR. SHINNICK:

Well, we would have to obviously have received the proposals, reviewed them and any contract award --

LEG. FOLEY:

Right. There must be a good old time line that we always talk about.

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MR. SHINNICK:

Yeah.

LEG. FOLEY:

When do we expect to do actual advertising?

MR. SHINNICK:

We're probably doing it in the fall of this year.

LEG. FOLEY:

Fall of this year, okay. And as far as bus sign installation, when do we expect to see new buses, new signs installed?

MR. SHINNICK:

If the bids are opened over the summer, it will be a matter of the same time line issue, it could be late this year or early next year; probably late this year, though.

LEG. FOLEY:
For installing signs.

MR. SHINNICK:
For installing signs, yes.

LEG. FOLEY:
All right. And you'll get us a copy of where you intend to put new signs and all the rest?

MR. SHINNICK:
That's -- you're welcome to it but it's a considerable list.

LEG. FOLEY:
Is it?

MR. SHINNICK:
Yes.

LEG. BISHOP:
It's every bus stop.

LEG. FOLEY:
Right. Well, as far as the other information, as far as the more complete information where you're only going to 35 locations, I think we as a committee would like to know where they are and I think many of us would say that I think at a minimum they should be at wherever a bus shelter is located, because a bus shelter is where you find more bus patrons than in other areas of the roadway. Start with the 35 but then move on to the other bus shelters that you have throughout the County and then apprise us of how many there are so we can make a judgement on whether we can appropriate monies or whether there's Federal grant monies that could be -- I'm sure there's Federal or State monies that could offset that cost, since the Feds and the States are trying to induce local governments to improve local mass transit. There must be some Federal monies out there so we can do 500 locations at minimal local cost.

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Mr. Chairman, there may be -- I don't know -- Mr. Shinnick, are you ready to give a full presentation, or what is it that you were going to do for the committee?

MR. SHINNICK:
Basically respond to questions, but I'll try to answer whatever I can.

CHAIRMAN CARACAPPA:
Before committee members go forward with final questioning, I'm going to work with the Department of Public Works and try and set up a State of Suffolk County Transportation Affairs for -- I guess we'll pick a date maybe when we come back after the summer break this way we have time for them to do their bid process and everything like that and prepare a very in-depth report for us as a committee. So either the first committee week or second committee week in August we'll have Mr. Shinnick back and do a State of County Transportation for this committee.

LEG. FOLEY:
Great.

CHAIRMAN CARACAPPA:

Legislator Crecca.

LEG. CRECCA:

Yeah, Bob -- I'm over here. The 3,100 signs that are being bid out, are these just the metal poll signs that say "Bus Stop" and the bus number on it?

LEG. BISHOP:

Right.

MR. SHINNICK:

Basically, that's correct. Of the 3,100 locations, 35 are major transfer points where the signs will be larger or multiple signs giving a lot of information because a lot of routes go there, 175 of the locations are bus stops that are served by more than one bus route, so there will be multi-route buses serving that particular location.

LEG. CRECCA:

I guess my question is this. If we're putting up 3,100 signs, how much more involved is it, I mean, to put -- add to that sign, you know, a map of the route, you know. Like similar to -- I'm sure you've seen the bus maps in New York City, I think everybody has seen those, it's just basically a line with dots and giving the locations of stops. And I guess what I don't understand is we're going through all this effort of putting up 3,100 signs, and for a little extra effort and probably -- and maybe I'm wrong, that's why I'm asking -- a little more money we could at least show the routes and the stops of a bus, even if we couldn't put up schedules. But again, I don't understand why we can't do that.

MR. SHINNICK:

It can be done, it can be done. Our original motive was to correct the lack of signs, the incorrect information on the signs, to give the

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basic system a good, fresh series of signed bus stop locations that are safe and legal for people to go to.

LEG. CRECCA:

Is there -- I guess there's like a plexi-glass box that attaches to the sign?

MR. SHINNICK:

Yeah, they come in different forms but basically that's it; there can be a cylinder or a rectangular.

LEG. CRECCA:

Wouldn't it make sense at the time that someone is installing those signs to install that part of it, or am I --

MR. SHINNICK:

If you had them, sure.

LEG. CRECCA:

Okay.

MR. SHINNICK:

It is a maintenance item, though. From time to time things change and you've got to get out there and make sure the proper inserts are in there.

LEG. CRECCA:

Yeah, absolutely. I mean, obviously if the bus route changes you've got to change the sign, that's why --

MR. SHINNICK:

It's part of the business.

LEG. CRECCA:

I just -- I guess, and maybe for the next committee meeting, Charlie, you could just address the possibility of doing this all at the same time to be a little more cost-efficient and, you know -- I mean, maybe I'm way off base here, I don't know. It just seems -- I mean, how much could one of those plastic boxes cost or some sort of simple sign to have a bus route? It's the same sign for the entire route.

LEG. BISHOP:

It's a plexi-box, you slip a piece of paper in.

LEG. CRECCA:

I know, I've seen them.

COMMISSIONER BARTHA:

I don't think anyone is off base in the points you're trying to make and it would be more cost effective, but it does add to the total cost of the project. There's a planning cost for it as well as the -- there's installation costs of doing it. We will look into it and let you know, you know, what the magnitude of that would be.

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LEG. CRECCA:

I don't want to -- and let us know maybe at the next meeting what you think, Charlie. As far as planning, I mean, I understand what you're saying but, you know, there's probably a set of products out there that are available and it's a matter of printing up bus routes and schedules and --

LEG. BISHOP:

Sliding them in.

LEG. CRECCA:

-- putting them in.

COMMISSIONER BARTHA:

And this would be certainly a good move to supplement what's already available to people and the schedules that we have and provide and we have the phone number out all over the place in order to be able to provide this information to people. But, you know, there's nothing wrong with supplementing it by having it at the bus stops, we understand your point.

LEG. CRECCA:

Okay. I am done, Mr. Chair.

LEG. BISHOP:

But as we go through the Capital process, I think we'd want that information, you know, post-haste because we want to -- obviously I

think you hear the theme, we want to do this, it's logical and it's logical to do it at the time we're doing the installation of all the new signs.

COMMISSIONER BARTHA:

We'll get you that information post-haste.

LEG. BISHOP:

Thank you.

CHAIRMAN CARACAPPA:

Legislator Carpenter.

LEG. CARPENTER:

Thank you. I have been talking to Counsel about drafting a resolution to establish a student fare on the buses and this is something that I have raised before; in fact, last year. And it's come to my attention again and I really want to move forward with it but I want you to be aware of it and would like to have you work with us in determining the best way to effectuate it; you know, the student would have to show student ID. I had a student call the office who stays for activities after school, goes to St. John's in West Islip and takes the bus to Bellport or Blue Point, I forget where it is.

LEG. FOLEY:

Put me on as a cosponsor.

LEG. CARPENTER:

Yeah, you want to cosponsor?

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LEG. FOLEY:

Absolutely.

LEG. CARPENTER:

Okay, great.

LEG. FOLEY:

You talked to Paul before I did.

LEG. CARPENTER:

But three times a week, because his district doesn't provide late buses, has to take the public bus and couldn't understand why and I had to agree because I raised this question last year. So it seems to me probably the best way to go would be to have it be the same as a student fare so you're not dealing with three different fare structures and have them show ID. But whatever input you could give us, I'll be introducing that in the next cycle.

CHAIRMAN CARACAPPA:

Brian, legislator Foley?

LEG. FOLEY:

Yeah. Legislator Carpenter's point is very well taken and I'd be happy to go on as a cosponsor, because certainly that is another way of promoting --

LEG. CARPENTER:

At a young age.

LEG. FOLEY:

Promoting people to use buses and also as a way that they can continue to participate in after -- well, in extra-curricula activities at schools, whether it's athletics or academics or music where they would otherwise have to curtail that if they had to pay the full fare.

This is just a specific location. I received a call from the Town of Riverhead about the bus shelter that they wish to place at the hospital, at Central-Suffolk Hospital. And I know that there's correspondence going back to last year, Mr. Shinnick, but I would just hope that that can be moved along as quickly as possible. I know that there are some minor issues that had to be worked out. It's my understanding that as of May 13th a letter that was carbon-copied to Dan Pichney regarding a bus pasture awaiting shelter agreement and that the hospital board at Central-Suffolk will be approving the dedication of the site to the Town of Riverhead as opposed to the County of Suffolk which you requested to go to the Town of Riverhead. So I hope that, you know, that the town and the clients who use the hospital will be able to have a shelter placed in there before year's end. Can you comment on that?

MR. SHINNICK:

That particular location may also be served by a Community Services Block Grant. The town has a different funding source in addition to our program to place some shelters in the town.

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LEG. FOLEY:

Right.

MR. SHINNICK:

And they may be placing one of their own shelters at that site.

LEG. FOLEY:

I think they were looking at a different site. I think what they were -- my understanding is that they were looking at the County as part of the County Bus Shelter Program to see if whether or not -- well, they request the County to be of help in joint with other townships.

MR. SHINNICK:

We have incorporated their request into our program, there will be shelter sites along County Road 58. The location you're talking about is on Roanoke Avenue.

LEG. FOLEY:

Right.

MR. SHINNICK:

And it would be, as you correctly described, property dedicated from the hospital to the town and the town would basically install the shelter and maintain it.

LEG. FOLEY:

So where would the County be of help in the bus shelter program in the Township of Riverhead?

MR. SHINNICK:

Basically on County Road 58. If they choose to use their funding for other sites in the town, that may become one of the sites that is a

part of our program.

LEG. FOLEY:

Are they aware of that? Because when I read this letter it leaves me with the impression that they believe that the County is going to be of assistance with that particular bus shelter, providing the bus shelter.

MR. SHINNICK:

Well, they're going to be part of our program.

LEG. FOLEY:

No, no. It's their impression that the shelter at the hospital was going to be one provided by the County.

MR. SHINNICK:

If they have the --

LEG. FOLEY:

Not through the Community Block Development Grant monies.

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MR. SHINNICK:

If they have the maintenance arrangements made which I believe they're doing now, we have no problem putting a shelter there.

LEG. FOLEY:

Okay. Thank you, Mr. Chairman. Thank you, Mr. Shinnick.

CHAIRMAN CARACAPPA:

Okay, thank you. And again, aim for probably the second week in August we'll do a big presentation on where transportation is in the County; give you plenty of lead time. And let the record reflect, I'm asking for it to be in August.

By the way, just on that going back, making a joke about the minutes, we did pull the minutes on that last resolution and it was absolutely in the minutes that I asked for the client of mister -- whatever his name is -- Burdner (sic) to be here at this meeting, so anyway.

Let's go to 1464-02 (P), because this is going to take up some discussion as well. This was originally passed by this committee but we sent it back at the last public session, it's transferring escrow account revenues and transferring assessment stabilization reserve funds to the Capital Fund, amending the 2002 Operating Budget, Amending the 2002 Capital Budget & Program and appropriating funds for the improvement and rehabilitation of the existing facilities in Suffolk County Sewer District No. 6 - Kings Park (CP 8144) (County Executive). I met with Budget Review and I sent a copy of the report or the memo that Budget Review did on this to all members of the committee, so you should all have it and hopefully you reviewed it. Jimmy, why don't you give us a brief overview of your concerns as it relates to using the sewer stabilization money for capital projects as opposed to -- for pay-as-you-go purposes on certain projects as opposed to bonding at this point in time, because that's pretty much the main concern, correct?

MR. SPERO:

That's right. The program was initiated to stabilize sewer district rates really for about a 30 year period into the future. The sales tax

will be collected through the year 2013 and it was hoped at that time that there would be sufficient sales tax reserve to continue to stabilize rates like to the year 2030.

It was never envisioned at the time we were going through the discussions of implementing or extending the sales tax for this purpose that the funds would be used to fund capital projects on a pay-as-you-go basis for the various sewer districts. It was to be used to stabilize their rates and bonds would be used to finance any capital improvements over a period of time, and over that period of time user fees will be increased 3% a year to help meet those expenses.

Now, while we've always been big proponents of pay-as-you-go financing, the pay-as-you-go program is for really short-lived capital projects and/or recurring capital projects. And the projects being funded in the proposed capital program don't fit really the pay-as-you-go criteria, they are, in fact, long-live projects. And

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when you're dealing with small districts with small tax bases, it could be beneficial to actually borrow to fund those expenses because you can spread it out and lower the burden in any particular year.

Now, there's two resolutions on the agenda today that deal -- that take money from the stabilization fund for two sewer districts, one is Kings Park, the other is Southwest. Kings Park, Resolution 1464, takes \$4.3 million out of the Reserve Fund and Resolution 1531 takes \$2 million out for Southwest. Now, Southwest will also, if the proposed Capital Program is adopted as presented, get a total of \$33.5 million out of a Reserve Fund for capital improvements. However, the proposed Capital Program doesn't provide stabilization funds to finance capital projects for all the districts, it's just doing it for several of them to a total of \$53.4 million. So the policy is not applied across the board to the benefit of all districts, because whatever district gets the money they get a direct benefit from having the pay-as-you-go money and not having to borrow. So we feel it would be either -- it would be an all-or-nothing approach. If you're going to implement the policy, and you can implement the policy, it would be a decision of the Legislature to do that, it should be applied across the board for all the districts. We make no exceptions as to which district gets stabilization funding for capital improvements and which wouldn't.

CHAIRMAN CARACAPPA:

Jimmy, with relation to the life of the assessment sewer stabilization fund, do we put in jeopardy the longevity of those funds by moving forward with using this money now as pay-as-you-go for a certain, what can be described as capital expenditures? And how drastic could we cut into that?

MR. SPERO:

Well, we feel -- yeah, that's right, because if you take \$53.4 million out at the current rate, that's about five year's worth of stabilization at the current rate. So again, you can do it but the plan as we envisioned it when we adopted the program was to stabilize rates way out into the future and not extend the sales tax after the year 2013. So if you wanted to continue pay-as-you-go financing, and I'm sure, you know, a district like Southwest is going to require capital improvements well above the 33.5 million in the current program, you may want to think about extending the sales tax for a

longer period of time at, you know, ten years from now, twelve years from now.

CHAIRMAN CARACAPPA:

As opposed to the original statute --

MR. SPERO:

Which would sunset it in 2013.

CHAIRMAN CARACAPPA:

It sunsets, okay.

MR. SPERO:

It's a policy call for the Legislators, it's an important policy call.

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CHAIRMAN CARACAPPA:

Yeah, absolutely. Legislator Bishop is first.

LEG. BISHOP:

What was the argument in favor of funding it from the reserve, from the Stabilization Fund?

MR. SPERO:

You lower the debt service cost in the district and you would not have to raise user fees to cover those costs because it would be financed pay-as-you-go, it wouldn't impact the rates at all if you did it on a pay-as-you-go basis. The residents don't have to pay for, it's coming out of the Reserve Fund. Another complicating factor is that the Southwest Sewer District has its own reserve fund and it's projected that there will be \$15 million in that fund at the end of this year. However, the resolution transferring the \$2 million doesn't take it out of the Southwest reserve, it takes it out of the County-wide sewer district reserve.

LEG. BISHOP:

But if the Reserve Fund is drawn down for capital expenditures, then logically it's not there for stabilization purposes.

MR. SPERO:

That's right.

LEG. BISHOP:

But their argument is that if you draw down for capital purposes then you won't need to draw down for stabilization because you will lower the rates that way, or you'll maintain the rates that way, you'll relieve the pressure on the rates by not borrowing.

MR. SPERO:

That's also true. The question is how long --

LEG. BISHOP:

To me it's as much a bean counting proposition as it is a policy issue. So how do the beans come out? You know, what's better -- what preserves the integrity of the fund best? The fund is intended to keep the rates flat, as flat as possible, which path gets us to that result?

MR. SPERO:

We believe if you leave the funds in the reserve and you borrow for

the improvements that the fund will last longer.

LEG. BISHOP:

Right. Okay.

CHAIRMAN CARACAPPA:

And we also --

MR. SPERO:

Don't forget, the rates are going up 3% a year.

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LEG. BISHOP:

Right, I know that.

MR. SPERO:

So that's part of the deal to get stabilization funding.

LEG. BISHOP:

Right.

CHAIRMAN CARACAPPA:

Also, we can use the money in the Stabilization Reserve Fund to pay down debt, correct? But it's more yield, if I read the memo correctly, that you could use it for much broader purposes of reducing debt or pay-as-you-go or -- it just makes, you know, better sense.

MR. SPERO:

Again, those are policy decisions that the Legislature can make with the use of the stabilization fund.

LEG. FOLEY:

Right. Well, Mr. Chairman, if I may.

CHAIRMAN CARACAPPA:

Yes, Legislator Foley.

LEG. FOLEY:

This is part of the -- this was the understanding when we reapproved the quarter cent extension; is that not correct?

MR. SPERO:

(Shook head yes).

LEG. FOLEY:

And having been involved in that process, everyone at the table, including the County Exec's Office at that time, the Budget Office at the County Executive, all agreed that these monies would be utilized for rate stabilization and not for -- in fact, I recall there were discussions at that time going back several years ago where there was some discussion about using those monies for capital purposes, but the agreement around the table of everyone was that it would be used for operating rate relief so there would be less of an increase.

So what we're witnessing here, Mr. Chairman, is a fundamental change in the utilization of these monies by the sponsor of the bill and I for one would not want to move forward with this resolution until such time as we would have the Executive's Budget Office, if not -- in addition to the top staff of the County Exec's Office, and I mean this

respectfully, but he's asking for a major departure of an approach that everyone had agreed upon several years ago and I believe that the sponsor has to make the case as to why we should make this major change.

CHAIRMAN CARACAPPA:

Well, I contacted Commissioner Bartha and told him to come prepared to speak about this, so why don't we start right there.

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LEG. FOLEY:

He can, but I don't know why the Executive's Budget Office isn't here as well.

CHAIRMAN CARACAPPA:

Well, we can --

LEG. FOLEY:

They can speak from the point of view of -- well, we'll hear from them, but also I think from the executive branch -- well, not just from the branch but from the Executive's Office, I mean, this is a making departure; this is not a minor change, this is a major department. And the reasons given by some of us who at that time had reluctantly gone along with extending a quarter cent of the sales tax was a clear understanding that these monies will be used for rate relief so that there wouldn't be this rate shock that would have otherwise occurred. Now we're being asked to approve a resolution that utilizes these monies not for stabilization of rates but instead for a whole new category which is capital improvements to the tune of millions and millions of dollars.

CHAIRMAN CARACAPPA:

Commissioner, you want to respond?

COMMISSIONER BARTHA:

There is one other issue here with respect to the timeliness. Issuing debt for a sewer district is very different from issuing debt for a capital project for the rest of the County, we have to go through a separate hearing process and application to the State Comptroller's Office. It's somewhat of a long process and at the Kings Park project in particular, we're under pressure because we have a grant that if we don't move in a timely manner it doesn't bode well for receiving future grants under the Clean Water/Clean Air Act. And the work at Kings Park is also intended to bring us into compliance with the goals of the Long Island Sound Study which have new requirements with respect to nitrogen discharge and elimination of chlorination of the waste water. But Ben has had some conversations with the County Exec's Budget Office and can speak in more detail about the projects.

MR. WRIGHT:

We had corresponded with them earlier in the year about a number of projects, the projects that show up in the Budget Review Office's listing showing \$53 million of requests. And, you know, when you add the interest that would be accumulated when we go through a conventional financing, that could be 85 or \$90 million by the time you get finished with it. But as Charlie indicated, with this specific project at Kings Park it was felt as if those funds were available and since we had a deadline of August, 2004 in order to complete the project, if we switch now from the Stabilization Fund to a conventional financing and went through the State Comptroller's

Office, the public hearing, the resolutions associated with findings and adopting we believe would take us until April of 2003 to get to the point that we are possibly next Tuesday. So that time frame extends itself significantly enough that it might impact this particular project.

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LEG. FOLEY:

Just on that point, if I may, Mr. Chairman. When was the department initially notified by the State that there is a need to improve the Kings Park site?

MR. WRIGHT:

A couple of years ago.

LEG. FOLEY:

A couple of years ago.

MR. WRIGHT:

Yeah.

LEG. FOLEY:

With that in mind and at that time, everyone's notion was to move forward with capital notes to do capital construction. So if two or three years ago the department was notified by the State that by 2004 it would have to be completed, then what I -- my point of view then is that several years ago the traditional capital project approach should have been triggered at that time so that we're not at a point now where -- and I mean this respectfully, so that we wouldn't come to the point where we are now that you come to the Legislature asking us to come up with a whole different method of funding a project, because otherwise if you go through the traditional approach, because several years have gone by, you're fearful that you're not going to have the work completed by 2004. So once again, you're coming to us to try -- I won't say bail out, but you're coming to us to try to have a whole different -- approve a whole different approach because of this looming deadline.

Now, with your presentation -- and I have to also mention this, Mr. Chairman -- with your presentation, you haven't included the fact that there's plenty of precedent where the State has allowed extensions to deadlines. And that in the past the State has allowed extensions of deadlines including sewer district completion dates as well. So on the one hand, while as one Legislator I'm sympathetic, but the fact of the matter is when the State originally notified this County and other municipalities several years ago of the need to move forward by certain dates, it was incumbent upon the appropriate agencies to start the Capital Program approach earlier than this year so that we wouldn't find ourselves in the situation where now you're saying that we may not reach this deadline and, therefore, we need to have this other approach that you're now requesting us to do. And I would like to have you comment on that.

COMMISSIONER BARTHA:

I'm glad to comment on that. The State I should point out has also exacted enormous penalties from the County and the sewer districts for not meeting deadlines.

LEG. FOLEY:

Okay.

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COMMISSIONER BARTHA:

So sometimes they extend them, sometimes they exact enormous penalties. And we have proceeded diligently on this project, we proceeded with the design, the cost estimatings, the design was done in-house by the department's staff. We worked with the County Exec's budget staff in developing the resolution and the funding mechanism. So that's where we stand on it. We had asked for the County Exec's Budget Office to have a representative here to, you know, address the policy type concerns that you have raised, and while Ben can relate what was related back to him, we will certainly at the next meeting make a point of bringing someone in.

LEG. FOLEY:

Well, if we don't move forward with this approach where we want to have the traditional capital program approach, you must have had developed before now the timeline charts that would be required. ; do you have those available?

MR. WRIGHT:

I don't have it in time line form, I have it in tabula form for the estimates.

LEG. FOLEY:

I know. You know, this committee over a series of years has asked for, particularly for larger projects, multi-million dollar projects in particular, the time line charts which can give us, you know, an instant understanding of at least in a general sense, you know, what the major milestones are.

MR. WRIGHT:

Well, this table was prepared because the resolution was sent back to committee. You know, it wasn't prepared for timeline for the normal process.

LEG. FOLEY:

All right. If -- all right. So if we have to go the Capital Program approach, just tell us again

MR. WRIGHT:

I'd like to go back just a little bit to the time with this particular project.

LEG. FOLEY:

All right.

MR. WRIGHT:

When we received a grant the project was estimated at \$6 million, we got a \$3.1 million grant. The majority of the other funds, over \$2 million, was going to be connection fees, so we weren't that far off with whatever financing was necessary. There were some revisions in the effluent limitations which required us to readjust the treatment process itself where we couldn't use the existing tanks, we had to build new tanks. That along with not being able to chlorinate and using ultraviolet disinfection for the process and the fact that we recognize that the outfall also needed rehabilitation increased the cost to \$9.9 million. At that point, the financing issue came into

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play and in January we corresponded with the Budget Office and received direction to use the Stabilization Fund.

LEG. FOLEY:

All right. So these additional costs are because of why?

MR. WRIGHT:

The nitrogen limits were lowered --

LEG. FOLEY:

Were lowered by the State.

MR. WRIGHT:

-- to a point where we could not utilize or rehabilitate the existing tanks on the site, we had to build new tanks.

LEG. FOLEY:

Is there not a revolving load fund that's available through the State that could pick up the --

MR. WRIGHT:

Well, it's using your own funding, I mean, at a lower interest rate and the direction -- and if I can switch just to one other project that came right before this. We went to the State Comptroller's Office on Sewer District 15, we got two pages of comments back and at that point we were getting prepared to go back to another public hearing when we got direction that if the Stabilization Fund is available, there's no need to go to the State Comptroller and we should utilize that.

LEG. FOLEY:

Who said that?

MR. WRIGHT:

The Budget Office.

LEG. FOLEY:

Well, that's the Budget Office, right, that's the Budget Office. But getting back, is there State revolving loan funds that could pick up the additional costs that you had incurred because of the lower nitrogen requirements?

MR. WRIGHT:

They don't pick up the additional cost, they give you the financing at a lower rate.

LEG. FOLEY:

Okay.

MR. WRIGHT:

It still increases the cost by some 50 or 60% above utilizing cash that's available.

CHAIRMAN CARACAPPA:

Brian, can I --

LEG. FOLEY:

Sure, go ahead.

CHAIRMAN CARACAPPA:

After just talking with Fred Pollert from Budget Review, why don't you just borrow from the Assessment Stabilization Fund and then pay it back once you did the bonding, this way it fixes -- you don't have to worry about the time frame and you're getting the money up front but you're paying it back which we can do.

LEG. FOLEY:

He's the engineer.

CHAIRMAN CARACAPPA:

Well, I'm talking to Charlie, if you bring that back to the County Executive.

COMMISSIONER BARTHA:

Yeah, absolutely, that sounds very creative. We would be glad to bring that back.

CHAIRMAN CARACAPPA:

Right. This way it doesn't jeopardize your projects --

MR. SPERO:

Internally financing.

CHAIRMAN CARACAPPA:

Right, we internally finance the project and everything stays status quo, the program stays in place as originally intended and you meet your needs for the project. So why don't we table this for a cycle, I will contact both -- I, too, will contact the Budget Office, I suggest that you do as well, Mr. Commissioner, and possibly we can do this in this fashion.

LEG. FOLEY:

We know that we want to help you do it, you're a can-do group, but the fact of the matter is, you know, once again, Mr. Chairman, it has to be our Budget Review that comes up with a very practical idea and this is why the lines of communication between the Executive's Budget Office and BRO needs to -- needs to flourish, if you will, so that these ideas can be expressed and given and conveyed to all appropriate people. So I'll second the motion to table pursuant to the discussions that will take place about this other method of financing this project.

CHAIRMAN CARACAPPA:

And actually I'll reach out and speak to Todd Johnson from the County Executive's Office and see just how fast we can implement a bill that would do just this. So Todd, I'll be calling you and try to strike this compromise and get it done in a timeframe that was originally scheduled. Okay, very good. I would just ask for the committee members to come back as soon as possible so we can finish up the agenda. Okay, let's go to the agenda.

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TABLED RESOLUTIONS

1029-02 (P) - Imposing moratorium on sewer connections by properties located outside Suffolk County Sewer District No. 3 Southwest and establishing priority list (Postal). Motion to table by myself, second by Legislator Foley. All in favor? Opposed? Tabled.

LEG. CRECCA:

Opposed.

CHAIRMAN CARACAPPA:

Opposed, Legislator Crecca. Tabled (VOTE: 4-1-0-0 Opposed: Legislator Crecca).

INTRODUCTORY RESOLUTIONS

1464-02 (P) - Transferring escrow account revenues and transferring assessment stabilization reserve funds to the Capital Fund, amending the 2002 Operating Budget, Amending the 2002 Capital Budget & Program and appropriating funds for the improvement and rehabilitation of the existing facilities in Suffolk County Sewer District No. 6 - Kings Park (CP 8144) (County Executive). Motion to table by myself, second by Legislator Foley. All in favor? Opposed? Abstained? It's tabled (VOTE: 5-0-0-0).

1499-02 (P) - Amending the 2002 Capital Budget and Program and appropriating funds for construction of repair equipment storage garage at County farm in Yaphank (CP 1767.310) (Towle).

LEG. CARPENTER:

Motion.

CHAIRMAN CARACAPPA:

There's a motion by Legislator Carpenter, second by myself. Any questions, comments, Commissioner?

LEG. FOLEY:

This is to approve, approval?

CHAIRMAN CARACAPPA:

Yes.

COMMISSIONER BARTHA:

This is Legislator Towle's resolution, we support it.

CHAIRMAN CARACAPPA:

Okay. All in favor? Opposed? It's approved (VOTE: 5-0-0-0).

LEG. FOLEY:

1464, did we --

CHAIRMAN CARACAPPA:

1464? It was tabled.

LEG. FOLEY:

Okay.

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CHAIRMAN CARACAPPA:

1504-02 (P) - A Local Law to reform process for Public Works change-orders (Towle).

LEG. FOLEY:

We have to table it subject to a public hearing, or was the public hearing already closed?

LEG. CARPENTER:
No, this is introductory.

CHAIRMAN CARACAPPA:
No, it's a Local Law.

LEG. CRECCA:
Yes, it has to be tabled.

LEG. FOLEY:
This is the first go-around. Motion to table.

CHAIRMAN CARACAPPA:
Table for a public hearing.

LEG. CARPENTER:
Do you want to speak on this now or do you want to wait?

COMMISSIONER BARTHA:
Whenever you would like I would like to speak on it. We are very strongly opposed to this resolution.

LEG. CARPENTER:
Okay, that's duly noted. Thank you.

CHAIRMAN CARACAPPA:
We'll take this up at the next committee cycle after the public hearings are held. All in favor? Opposed? Abstained? The motion is tabled -- the resolution is tabled, rather. (VOTE: 5-0-0-0).

LEG. BISHOP:
Why don't you come to the public hearing?

COMMISSIONER BARTHA:
I could do that.

CHAIRMAN CARACAPPA:
1506-02 (P) - Authorizing public hearing for authorization of the establishment of rates of Bay Shore Ferry, Inc. (Presiding Officer Tonna). This is a public hearing. Motion to table by Legislator Carpenter, second by Legislator Foley. All in favor?

LEG. BISHOP:
Why are we tabling this?

CHAIRMAN CARACAPPA:
Public hearing. All in favor? Opposed? Oh, we have to authorize a public hearing. So motion, actually, by Legislator Carpenter --

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LEG. CARPENTER:
Well, no, I'm not making a motion yet because this is the ferry company that doesn't have the -- which ferry is this?

CHAIRMAN CARACAPPA:
This is Bay Shore Ferry.

LEG. FOLEY:
This is a -- if you look at the backup, it's site specific only to

Robins Rest, from Robins Rest over to Bay Shore and that's it. If you look at --

CHAIRMAN CARACAPPA:

Well, don't we need to have the public hearings regardless?

LEG. CARPENTER:

Well, this would authorize the public hearing.

LEG. BISHOP:

This is the intermediate step.

LEG. CARPENTER:

Right.

LEG. CARPENTER:

1506 is going to be limited to Bay Shore to Robins Rest in Islip, that's what the petition shows and this is the hearing for that. It's going to be a combination of passenger service as well as the freight/baggage type service, but it is a point to point --

LEG. FOLEY:

This is a new ferry service?

MR. SABATINO:

It's a proposed new service, it would be competition, non-exclusive license just like the others.

LEG. FOLEY:

It's only going to one beach.

LEG. CRECCA:

Motion to approve.

CHAIRMAN CARACAPPA:

Motion to approve by Legislator Crecca, second by Legislator Bishop. All in favor? Opposed? That's approved (VOTE: 5-0-0-0).

1507-02 (P) - Authorizing public hearing for authorization and approval of Bay Shore Ferry, Inc.'s petition for passenger, baggage and freight ferry service over the Great South Bay from Bay Shore, Suffolk County as proposed in the verified petition of Bay Shore Ferry, Inc., dated March 22, 2002 (Presiding Officer Tonna). Motion by Legislator Crecca, second by Legislator Carpenter. All in favor? Opposed?

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LEG. BISHOP:

Mr. Chairman, will the Budget Review Office have comments before this public hearing that we're going to conduct?

CHAIRMAN CARACAPPA:

Well, they'll have I'm sure -- they'll have it at the next committee cycle when they come.

MR. SPERO:

We have been reviewing the application of the Bay Shore Ferry so we'll have something prepared for you.

LEG. BISHOP:

Very good. Thank you.

CHAIRMAN CARACAPPA:
1507 was tabled (VOTE: 5-0-0-0).

1519-02 (P) - Appropriating funds in connection with the reconstruction --

MS. MAHONEY:
Tabled or approved?

CHAIRMAN CARACAPPA:
Oh, approved, I'm sorry. (1507-02 Approved (VOTE: 5-0-0-0)).

1519-02 - Appropriating funds in connection with the reconstruction of various buildings at BOMARC, improvements to record storage facility (CP 1705) (County Executive).

LEG. FOLEY:
Mr. Chairman, I would just like -- if at least for one go-around, since the hour is late today -- us to table it just to -- we're talking about two-and-a-half million dollars, to me it's a substantial project. I would like to get a --

CHAIRMAN CARACAPPA:
It is appropriating, it's not amending.

LEG. FOLEY:
Right, it's appropriating. Just --

LEG. CARPENTER:
Is this the same BOMARC where it's in deplorable condition?

LEG. FOLEY:
It is, but whether -- I mean, I'm prone to support it, but given that it's a few million dollars, I would just like to have, you know, either a presentation or a description of the kinds of improvements that were going to be made at the facility.

CHAIRMAN CARACAPPA:
Commissioner?

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COMMISSIONER BARTHA:
We're prepared to do that.

LEG. FOLEY:
Do we want to do that -- Mr. Chairman, do we want to do that today? It's 1:10, we can either do it today or at the next -- well, are you prepared to talk?

COMMISSIONER BARTHA:
Yes, sir.

LEG. FOLEY:
Okay, go ahead, please. Thank you, Mr. Chairman.

MR. GODEK:
Tedd Godek, County Architect. The \$2.4 million involves primarily interior renovation work in the large storage structure. We already

have done a substantial amount of work on that structure as far as putting in storage-like shelving for the Clerk's records. This would continue that program of shelving installation which is quite extensive. We're also looking to make more efficient the layout in the low bay area of that building which is currently cut up into a lot of small rooms, we'd like to open that up into one large room therefore giving it more efficient storage capabilities. We're also looking at doing fire sprinkler work, HVAC work in the building and fire alarm work, too.

LEG. FOLEY:

So it's really just one building, it reads here as various buildings at BOMARC.

MR. GODEK:

That --

LEG. FOLEY:

This is the one large building?

MR. GODEK:

This focuses on the large building, yes.

LEG. FOLEY:

On the large building. So two and a half million dollars for the one large building.

MR. GODEK:

Yes.

LEG. FOLEY:

And this will enable the record storage to expand by how much?

MR. GODEK:

We're looking at an expansion of approximately 25 to 50% over current capabilities. I don't have a figure on what exactly we're storage at currently on a square foot basis, I can get that for you.

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LEG. FOLEY:

Okay. Thank you, Mr. Chairman.

LEG. CARPENTER:

If I could. This would include the HVAC?

MR. GODEK:

I'm sorry. Say again, Legislator Carpenter?

LEG. CARPENTER:

This would include the HVAC and sprinkler?

MR. GODEK:

Yes, it would.

LEG. CARPENTER:

Okay.

CHAIRMAN CARACAPPA:

Very good. Thank you, Tedd. Motion by Legislator Carpenter, second by Legislator Crecca.

LEG. FOLEY:
Bishop had made the seconding motion.

CHAIRMAN CARACAPPA:
Legislator Foley?

LEG. FOLEY:
Yeah, Bishop had made it.

CHAIRMAN CARACAPPA:
Oh, Bishop, okay. All in favor? Opposed? Approved (VOTE: 5-0-0-0).

1520-02 (P) - Amending the 2002 Capital Budget & Program and appropriating funds in connection with replacement/clean-up of fossil fuel, toxic and hazardous material storage tanks (CP 1706) (County Executive).

LEG. FOLEY:
Motion.

CHAIRMAN CARACAPPA:
I just want to check the offset; Jimmy or John? Paul?

MR. SPERO:
No, there is no offset.

MR. SABATINO:
They're converting it from the pay-as-you-go to the -- it's a change of financing --

MR. SPERO:
Change in financing, yes.

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LEG. CARPENTER:
-- from pay-as-you-go to borrowing. It will take 14 votes

CHAIRMAN CARACAPPA:
Gotcha. Motion by myself, second by Legislator Carpenter. All in favor? Opposed? 1520 is approved (VOTE: 5-0-0-0).

1521-02 (P) - Amending the 2002 Capital Budget & Program and appropriating funds in connection with removal of toxic and hazardous building materials and components at various County facilities (CP 1732) (CP 1706) (County Executive).

LEG. FOLEY:
Motion

MR. SABATINO:
This also changes the method of financing from pay-as-you-go.

LEG. FOLEY:
Motion.

LEG. CARPENTER:
Second

CHAIRMAN CARACAPPA:

Motion by Legislator Foley, second by Legislator Carpenter. All in favor? Opposed? It's approved (VOTE: 5-0-0-0).

1522-02 (P) - Amending the 2002 Capital Budget & Program and appropriating funds in connection with replacement of major building operations equipment at various County facilities (CP 1737) (County Executive).

LEG. CARPENTER:

This one takes the offset, Mr. Chairman, from that Class A Fire Training Building, the question that came up at the previous meeting.

CHAIRMAN CARACAPPA:

Yes.

LEG. CARPENTER:

Yeah, the question did come up at the previous meeting about the fire training building, perhaps, Commissioner, you could answer that. Why is this offset now available; are they not going forward with this?

COMMISSIONER BARTHA:

I have to check with Tedd; the status of that project?

MR. GODEK:

I'm sorry, I am not familiar with that one.

COMMISSIONER BARTHA:

Okay.

LEG. CARPENTER:

No, Jim has the information here.

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CHAIRMAN CARACAPPA:

We have Budget Review.

MR. SPERO:

The County Exec put in a resolution at the end of last year to move the money for this project, so it's available this year as an offset.

COMMISSIONER BARTHA:

Another offset that was used last year.

MR. SPERO:

The funding is in place for the Class A Building.

LEG. CARPENTER:

Okay

CHAIRMAN CARACAPPA:

Okay, clean offset. Motion by myself, second by Legislator Carpenter. All in favor? Opposed? Abstained? It's approved (VOTE: 5-0-0-0).

1525-02 (P) - Amending the 2002 Capital Budget & Program and appropriating funds in connection with the improvements to water supply systems (CP 1724) (County Executive).

LEG. FOLEY:

I have a question, Mr. Chairman?

CHAIRMAN CARACAPPA:
Legislator Foley.

LEG. FOLEY:
Yeah, thank you. Commissioner, if you look at the backup, it speaks of replacing wells with public water at various County facilities including Gabreski, Timber Point Golf Course, Cooperative Farm in Yaphank. Those three facilities, they have private drinking water wells that serves those places?

COMMISSIONER BARTHA:
It may not be simply drinking water.

LEG. BISHOP:
That's scary if I'm drinking Timber Point water.

LEG. FOLEY:
Well, that's my questions. And it says various facilities including those, so are there other facilities that are presently not on public water mains that have their own private wells? And is that the reason this resolution has been put forward, to place those facilities on public water; and if so, is that due to some Health Department reports that show that there are problems with that drinking water? And if there has been, have we attempted to find who the responsible parties are for contaminating those wells?

COMMISSIONER BARTHA:
No, this is not result of contamination, this is result of projects to

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improve the water services at Gabreski; for example, the water mains are very old and deteriorating, we have frequent water main breaks.

LEG. FOLEY:
When you mean -- I don't mean to be argumentative, but when you read the language, "Replace wells with public water," so it reads as though these are private wells.

CHAIRMAN CARACAPPA:
Water main infrastructure.

LEG. FOLEY:
Right. So the point is, and I know there were some spills to the north, not southern Yaphank but to the north of Yaphank that had crisscrossed some of the farm area, and I don't know whether that was a spill from the county or whether that was some other spillage from another source.

COMMISSIONER BARTHA:
If you would like to table this, I would be glad to get you more specific information for the next meeting.

LEG. FOLEY:
Mr. Chairman, we probably need to move forward with the project because -- in order to bring wells. So I would support to approve the project, but if at the next meeting you can give us a complete run down of the specific locations and why there's a need to bring these public water wells there. And if there are issues of elevated levels as they like to say in the business, was any effort made to try to locate the culprit for causing problems with these wells where County

workers were drinking from? I think we need to know that. Thank you, Mr. Chairman.

CHAIRMAN CARACAPPA:
Very good.

LEG. BISHOP:
Yes, right, that's fine?

COMMISSIONER BARTHA:
Oh, absolutely.

LEG. FOLEY:
Note that he nodded in the affirmative for the record.

CHAIRMAN CARACAPPA:
Alison, is there a motion and a second yet?

MS. MAHONEY:
I don't believe so.

CHAIRMAN CARACAPPA:
No, there wasn't. Motion by myself, second by Legislator Foley. All in favor? Opposed? It's approved (VOTE: 5-0-0-0).

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1526-02 (P) - Amending Resolution No. 1188 of 1997 for participation in engineering in connection with the reconstruction of CR 67, Long Island Motor Parkway (CP 5172.111)(County Executive).

LEG. CRECCA:
Motion.

LEG. CARPENTER:
Second.

LEG. FOLEY:
Second.

CHAIRMAN CARACAPPA:
This is 80% Federally --

MR. SABATINO:
This might help; the next batch of resolutions, like five of them are situations where the County up-fronted the money for a project, now you're getting that Marchitelli State aide so you have to adjust all the numbers. But it's a net benefit to the County because it's offsetting what we laid out at the beginning. That applies to the next five bills.

COMMISSIONER BARTHA:
The County share is reduced from 20% to 5%.

CHAIRMAN CARACAPPA:
Okay, motion by Legislator Carpenter, second by Legislator Crecca. All in favor? Opposed? Abstained? It's approved (VOTE: 5-0-0-0).

1527-02 (P) - Amending Resolution No. 494 of 1999 for participation in construction and construction inspection for pavement rehabilitation

and preservation of various County roads (CP 5551.310) (County Executive). Motion by Legislator Carpenter, second by Legislator Crecca. All in favor? Opposed? Approved (VOTE: 5-0-0-0).

1528-02 (P) - Amending Resolution No. 839 of 2001 for participation in the rehabilitation of Smith point Bridge, Town of Brookhaven (CP 5838.312) (County Executive). Same motion, same second, same vote. Approved (VOTE: 5-0-0-0).

1529-02 (P) - Amending Resolution No. 880 of 1996, Amending the 2002 Capital Budget & Program, appropriating funds and approving aid for participation in engineering for the reconstruction/widening of CR 3, Wellwood avenue Bridge, Town of Babylon (CP 5851) (County Executive). Same motion, same second, same vote. Approved (VOTE: 5-0-0-0).

1530-02 (P) - Amending Resolution No. 787 of 2000 for participation in engineering in connection with the replacement of the Bridge carrying Mill Dam Road over Centerport Harbor, Town of Huntington (CP 5854.110) (County Executive). Same motion, same second, same vote. Approved (VOTE: 5-0-0-0).

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1531-02 (P) - Transferring escrow account revenues and transferring Assessment Stabilization Reserve Funds to the Capital Fund, amending the 2002 Capital Budget & Program and appropriating funds for improvements and/or rehabilitation of existing facilities in Suffolk County Sewer District No. 3 - Southwest (CP 8170) (County Executive). Motion to table --

LEG. FOLEY:
Second.

CHAIRMAN CARACAPPA:
-- by myself, second by Legislator Foley. All in favor? Opposed? Abstained? Tabled (VOTE: 5-0-0-0).

LEG. FOLEY:
Mr. Chairman, if I may for a moment.

CHAIRMAN CARACAPPA:
Yes.

LEG. FOLEY:
Back to 1527, that was a resolution from '99, obviously we've done the work for the road projects, Commissioner, and we're just being paid now by the State -- by the Feds?

COMMISSIONER BARTHA:
I'm just looking at the -- yes, that's correct.

LEG. FOLEY:
So the work was already done.

COMMISSIONER BARTHA:
Yes.

LEG. BISHOP:
Is that true for the others?

COMMISSIONER BARTHA:

Not all of them.

LEG. FOLEY:

One has to do with 2000 --

COMMISSIONER BARTHA:

It's strictly a funding resolution, but if you'd like me to get the status of the projects, I'd be glad to.

UNKNOWN AUDIENCE MEMBER:

They're all in the engineering stage.

LEG. FOLEY:

With the exception of --

MR. SABATINO:

It doesn't necessarily mean the work was done. The significance of these five bills, though, is that we up-fronted bond proceeds, it

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could have been planning money as well as construction money, now you're getting the State funding later in the cycle. So this is actually -- I mean, it's a net fiscal benefit, it doesn't necessarily imply though that the work is completed.

LEG. FOLEY:

Well, that's why I'm asking about '99 because that was from two years ago and I hope that the road projects were done.

COMMISSIONER BARTHA:

I will check to see exactly which projects were included.

LEG. FOLEY:

Yeah, that would be helpful for the next meeting what projects were done with those monies; hopefully it hasn't been delayed. Thank you, Mr. Chairman.

CHAIRMAN CARACAPPA:

Okay, that is --

LEG. CARPENTER:

The next one needs to be tabled, we need a public hearing.

CHAIRMAN CARACAPPA:

Yeah. 1558-02 (P) - Approving Cross Bay Ferry License for Bay Shore Ferry, Inc. (Presiding Officer Tonna). Motion to table by Legislator Carpenter, second by myself. All in favor? Opposed? This is for public hearing purposes. Tabled (VOTE: 5-0-0-0).

1559-02 (P) - Authorization of rates for Bay Shore Ferry, Inc. (Presiding Officer Tonna). Same motion, same second, same vote, for the same purposes. Tabled (VOTE: 5-0-0-0).

LEG. CARPENTER:

Great meeting.

CHAIRMAN CARACAPPA:

Okay. Any other business to come before the Public Works & Transportation Committee?

LEG. FOLEY:

None.

CHAIRMAN CARACAPPA:

We are adjourned.

LEG. CARPENTER:

On time. Thank you.

CHAIRMAN CARACAPPA:

Actually it's a few minutes late.

(*THE MEETING WAS ADJOURNED AT 1:18 P.M.*)

Legislator Joseph Caracappa, Chairman
Public Works & Transportation Committee

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{ } - Denotes Spelled Phonetically

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